

MINUTES

**MONTANA SENATE
56th LEGISLATURE - REGULAR SESSION
COMMITTEE ON BUSINESS AND INDUSTRY**

Call to Order: By **CHAIRMAN JOHN HERTEL**, on April 8, 1999 at
10:15 A.M., in Room 410 Capitol.

ROLL CALL

Members Present:

Sen. John Hertel, Chairman (R)
Sen. Mike Sprague, Vice Chairman (R)
Sen. Dale Berry (R)
Sen. Vicki Cocchiarella (D)
Sen. Bea McCarthy (D)
Sen. Glenn Roush (D)
Sen. Fred Thomas (R)

Members Excused: None.

Members Absent: None.

Staff Present: Bart Campbell, Legislative Branch
Janice Soft, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing(s) & Date(s) Posted: None
Executive Action: HB 515 BCIAA

EXECUTIVE ACTION ON HB 515

Motion: SEN. THOMAS moved that HB 515 BE CONCURRED IN.

Motion: SEN. MCCARTHY moved that AMENDMENTS HB051502.ABC
EXHIBIT (bus76a01) BE CONCURRED IN.

Discussion:

SEN. BEA MCCARTHY explained the amendments as per **(EXHIBIT 1)**, and said they ultimately provided for a nice study during the interim.

SEN. VICKI COCCHIARELLA said she had done some research on yesterday's question as to whether a similar study had recently been done. She reported several studies had been made, but none were legislative; therefore, it was probably appropriate for one to be done in that arena. However, in her tenure as legislator, she had heard nothing from anyone about that problem. Also, this study would be statutory, and that concerned her, because that meant it was mandatory the interim business committee do it.

SEN. FRED THOMAS asked if language could be inserted which would designate an appropriate interim committee which would prioritize the studies. **Bart Campbell** said that was not possible; however, he was told the assigned committee had the discretion to spend only a very limited amount of time on it.

SEN. MIKE SPRAGUE said privatization had been an issue for some time and he thought the question should be resolved once and for all, i.e. get off the backs of the various departments, if it could be proved they were doing an efficient and creditable job. Currently, there was a perceived reality this problem was happening everywhere, and someone had to clarify whether it was or was not happening.

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SEN. DALE BERRY commented the discussion had centered around state government, but wondered if the problem was more significant at the local government level. **SEN. MCCARTHY** responded by saying if the small communities did not share, nothing would get done because of limited finances. The conservation district or health department, for example, were in some of the extremely rural areas of Montana. **SEN. SPRAGUE** suggested "one size did not fit all", because what was good and acceptable in one area was not necessarily so in another.

SEN. BEA MCCARTHY suggested changing "shall" to "may" on Page 5, Lines 27 & 28 and on Page 6, Line 2. **SEN. SPRAGUE** said after listening to the testimony, it was obvious everyone supported the conducting of a study. If the language was changed to "may", it also meant "may not", which meant it was possible nothing would be done; therefore, "shall" should remain.

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SEN. MCCARTHY asked about local government problems. **Bart Campbell** said "government entities" meant any political subdivision.

After more Committee discussion, it was decided to change the language to "may" only on Page 5, Line 28.

Vote: Motion that AMENDMENTS HB051502.abc BE CONCURRED IN carried unanimously 7-0.

Motion/Vote: SEN. MCCARTHY moved that HB 515 BE CONCURRED IN AS AMENDED. Motion carried unanimously 7-0. SEN. CHARLES "CHUCK" SWYSGOOD will carry HB 515 on the Senate Floor.

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DISCUSSION AND ACTION ON HB 63

Copies of **EXHIBIT (bus76a02)** were distributed to Committee members, who discussed its content. It was decided each member would sign the letter before it was sent to Peter Blouke, Department of Commerce.

ADJOURNMENT

Adjournment: 10:55 A.M.

SEN. JOHN HERTEL, Chairman

JANICE SOFT, Secretary

JH/JS

EXHIBIT (bus76aad)